



THE ATTORNEY GENERAL  
OF TEXAS

CRAWFORD C. MARTIN  
ATTORNEY GENERAL

AUSTIN, TEXAS 78711

July 12, 1968

Honorable Henry Wade  
District Attorney of Dallas County  
Dallas County Government Center  
Dallas, Texas 75202

Opinion No. M-256

Re: Authority of Dallas County  
Hospital District, pur-  
suant to Article 4494n,  
Vernon's Civil Statutes,  
to expend funds for build-  
ing and operating a "Crime  
Lab."

Dear Mr. Wade:

You have requested an opinion as to whether the Board of Managers of the Dallas County Hospital District has the authority to expend funds of the district for the purpose of building, equipping and operating a crime laboratory. You state in your request that its primary purpose would be to aid in crime detection and to present evidence in connection with the prosecution of criminal cases; its better known and more common functions relate to the determination of alcohol and drug content of blood samples, ballistic and firearms identification, analysis and identification of narcotics, marijuana and dangerous drugs, analysis and comparison of hair, skin, poisons and other substances obtained in criminal investigations, and the use of various chemicals and apparatus in connection with crime detection.

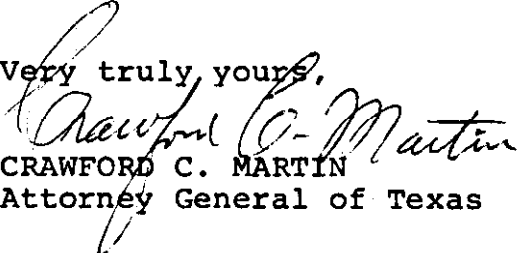
Section 4 of Article IX of the Constitution of Texas, and Article 4494n, Vernon's Civil Statutes, direct that hospital districts created thereunder shall assume full responsibility for providing medical and hospital care to the needy inhabitants of the county. In Bexar County Hospital District v. Crosby, 160 Tex. 116, 327 S.W.2d 445 (1959), it was held that the provisions of Section 4 of Article IX limited the expenditure of taxes levied for hospital purposes to the limited use provided for in the Constitution.

The purpose of building, equipping and operating a crime laboratory to perform the functions outlined in your request is for a purpose other than to provide medical aid and hospital care to needy persons residing in the district. We can find no constitutional or statutory authority authorizing the hospital district to perform such purpose. Therefore, we agree with you that the Dallas County Hospital District has no authority to expend its funds for such purposes, laudable as such aims and purposes may be.

S U M M A R Y

The Dallas County Hospital District has no authority to build, maintain and operate a crime laboratory since such expenditure is not for the purpose of furnishing medical aid and hospital care to needy individuals residing in the district. Article IX, Section 4, Tex.Const.; Bexar County Hospital District v. Crosby, 160 Tex. 116, 327 S.W.2d 445 (1959).

Very truly yours,

  
CRAWFORD C. MARTIN  
Attorney General of Texas

Prepared by John Reeves  
Assistant Attorney General

APPROVED:  
OPINION COMMITTEE

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